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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,275	03/08/2001	Paola Belloni	P01,0108	6581

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EXAMINER

PAYNE, SHARON E

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 04/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/802,275	BELLONI ET AL.	
	Examiner	Art Unit	
	Sharon E. Payne	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44,45,51 and 63-66 is/are rejected.
- 7) ☒ Claim(s) 41-43, 46-~~50~~ and 52-62 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 41 is objected to because of the following informalities.

1) Claim 41 omits structural relationships between the elements, in particular, the relationships between the support structure and the following: a) the light guide, b) the lamp and c) the optical components.

2) In line 12 of claim 41, "plan" should be "plane."

3) The phrase "an element selected from a cap reflector, a light-refractive structure and an input reflector" in lines 15-16 should be "an element selected from a group consisting of a cap reflector, a light refractive structure or an input reflector" to be a proper Markush group. See M.P.E.P. 2173.05 (h).

2. Claim 43 is objected to because of the following informality: the phrase "the element is a reflector selected from a total reflective cap reflector and a partially light-transmissive cap reflector" in lines 2-3 should be "the element selected from a group consisting of a total reflective cap reflector or a partially light-transmissive cap reflector." See M.P.E.P. 2173.05(h).

3. Claims 42 and 44-55 are objected to due to their dependency.

4. Claim 56 is objected to due to the following informality. Claim 56 omits structural relationships between the elements, in particular, the relationships between the support structure and the following: a) the light guide, b) the lamp and c) the optical components.

5. Claim 57 is objected to due to the following informality: the phrase "the cap reflector is selected from a total reflective cap reflector and a partially light-transmissive cap reflector" in lines 1-2 should be "the cap reflector is selected from a group consisting of a total reflective cap reflector or a partially light-transmissive cap reflector."

Claim Rejections - 35 USC § 112

6. Claims 44, 45, 51 and 64-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 44 is indefinite for reciting the limitation "wherein the element is a reflector selected from cap reflectors having different reflecting properties." What kinds of reflectors are being referenced? This is not an appropriate Markush group. See M.P.E.P. 2173.05(h).

Claim 45 is indefinite for reciting the limitation "wherein the light permeable component is selected from plate elements having different light refractive structures so that the light emission properties of the light unit is changed by changing the plate elements." What kinds of light refractive structures are being referenced? This is not an appropriate Markush group. See M.P.E.P. 2173.05(h).

Claim 51 is indefinite for reciting the limitation "wherein the element is a reflector selected from input reflectors having different reflecting properties." What reflecting properties are being referenced? This is not an appropriate Markush group. See M.P.E.P. 2173.05(h).

Claim 64 is indefinite for reciting the limitation "with a region having dimensions smaller than the predetermined area being on the carrier plate adjacent the pre-fabricated light permeable component." Does this phrase mean that part of the carrier plate is exposed and not under the light permeable component? Please clarify this claim and point out which drawing contains this element. This claim cannot be examined any further.

Claim 65 is indefinite for reciting the limitation "securing a frame element engaging the pre-fabricated light permeable component in the region." Due to the unclear construction of claim 64, it is not clear what region is being referenced. This claim cannot be examined any further.

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Claim 66 is necessarily included due to its dependency.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 63 is rejected under 35 U.S.C. 102(b) as being anticipated by Yamada et al. (U.S. Patent 5,704,703).

Regarding claim 63, Yamada et al. discloses a lighting device and associated method. The method includes providing a pre-fabricated light permeable component (reference number 87, Fig. 1), providing a light permeable carrier plate (reference number 86, Fig. 1), arranging at least one pre-fabricated light permeable component on the carrier plate in a predetermined area of the carrier plate to fill the area (Fig. 1), and fastening the pre-fabricated light permeable components and the carrier plate so that they limit the cavity of the hollow light guide (Fig. 1). (The elements have to be fastened together in some way to work.)

Allowable Subject Matter

9. Claims 41-43, 46-50 and 52-62 would be allowable if rewritten or amended to overcome the objections set forth in this Office action.

10. Claims 44, 45, 51 and 66 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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11. The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to disclose a system of light units and an associated method with the following features:

1) optical elements of differing qualities that can be switched between light units to obtain different optical performance instead of changing the dimensions along with the dimensions of the desired reflector as recited in claims 41 and 56; and

2) the step of positioning a spacer element on the carrier plate between at least two pre-fabricated light permeable components.


Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (703) 308-2125. The examiner can normally be reached on regular business hours.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

sep
April 15, 2003


Stephen Husar
Primary Examiner